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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Henry G. Johnson et al

Serial No.: 10/804,342

Filed: March 19, 2004

Title: Turbocompressor Impelling Fuel
Recycle in Fuel Cell Power Plant

Examiner: Dove, Tracy Mae

Art Unit: 1745

Docket No.: C-2960

DECLARATION UNDER 37 CFR 1.132Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Michael L. Perry declare that:

1. I reside at 1995 Main Street, Glastonbury, CT 06033.
2. I have a Master of Science degree in Chemical Engineering and have been working in the field of fuel cells and related arts for over 10 years, and am currently engaged in that field on behalf of UTC Power Corporation, South Windsor, CT.
3. I am a named co-inventor in the subject application and in the US application published as U.S. 2005/0164069A1, cited against the subject application under 35 USC 102(e).
4. Use of the compressor of a turbocompressor to impel fuel cell recycle gas, the turbine of which is driven by the fuel cell air or oxidant exhaust, was invented solely by me.
5. My invention of a turbocompressor recycle pump was initially incorporated, by me, into the draft of the aforementioned published application.
6. Prior to the filing of said aforementioned published application, it was decided to (a) file a patent application claiming my turbocompressor recycle idea together

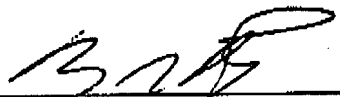
with additions made to that subject by me and Henry G. Johnson, and (b) eliminate all references to a turbocompressor in the aforementioned published application.

7. The subject application is the result of the decision referred to in (a) of paragraph 6, above.

8. I believed all references to turbocompressors had been removed from the aforementioned published application prior to such application having been filed.

9. The phrase "a turbocompressor (30a) driven by an air exhaust" remained in the Abstract of the aforementioned published application by mistake.

10. All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.



Michael L. Perry

7/16/2007

Date